

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Aedes De Venustas, Inc.,

Plaintiff,

v.

Venustas International, LLC,

Defendant.

1:07-CV-04530-LTS-THK
ECF Case

DECLARATION OF DENNIS MCNEILL

I, Dennis McNeill, declare as follows:

1. I am over the age of 18 and make this declaration in support of defendant, Batallure Beauty, LLC f/k/a Venustas International, LLC, ("Batallure"). I make this declaration of my own knowledge and could and would testify as to the matters set forth below if called upon to do so.

2. I am the husband of Robin Burns-McNeill, the Chairman of Batallure.

3. I have been informed that Mr. Silk has testified, in a deposition, that he recalls first discussing "whether the name [VENUSTAS] should be cleared in terms of trademark usage" with Sam Ghusson "early on", and that he "probably" discussed trademark work with Ghusson "about the time when" Sam came to him to form an entity. Deposition Transcript of Mr. Allen Silk ("Silk Tr.") 18:11-20:5.

4. I accompanied Sam Ghusson on Batallure's first meeting with Mr. Allen Silk.

5. Contrary to Mr. Silk's testimony, at no time during our initial meeting did Mr. Silk discuss trademark work, nor did Mr. Silk clarify that the work he intended to do for Batallure did not include trademark clearance work.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on this day 23 of May, 2008 at 11:00 A.M.



By: Dennis McNeill